

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

GREENPOINT AG, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:20-cv-107-SNLJ
)	
JEFFREY SCOTT TODD, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

On April 21, 2021, this Court ordered plaintiff to file an amended complaint setting forth the citizenship of the plaintiff Limited Liability Company (“LLC”) so that this Court could determine whether diversity jurisdiction exists [#26]. *See GMAC Commercial Credit, LLC v. Dillard Dep’t Stores, Inc.*, 357 F.3d 827, 829 (8th Cir. 2004). Plaintiff filed an amended complaint on May 3, 2021. The amended complaint explains that the plaintiff LLC’s members include Tennessee Farmers Cooperative, Tipton Farmers Cooperative, and Winfield Solutions, LLC. The two cooperatives were incorporated in Tennessee, and their principal places of businesses are in Tennessee and Mississippi. Winfield Solutions, LLC’s sole member is alleged to be Land O’Lakes, Inc., but only Land O’Lakes, Inc.’s state of incorporation is alleged—its principal place of business is not alleged. This Court is thus unable to determine the citizenship of Winfield’s sole member in order to determine Winfield’s citizenship. “In every federal case the court must be satisfied that it has jurisdiction before it turns to the merits of other legal arguments.” *Carlson v. Arrowhead Concrete Works, Inc.*, 445 F.3d 1046, 1050 (8th

Cir. 2006). “A plaintiff who seeks to invoke diversity jurisdiction of the federal courts must plead citizenship distinctly and affirmatively.” 15 James Wm. Moore, et al., *Moore’s Federal Practice* § 102.31 (3d ed. 2010).

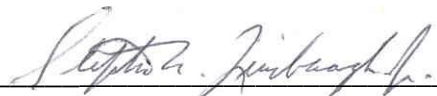
Accordingly,

IT IS HEREBY ORDERED that, by May 14, 2021, plaintiff shall file an amended complaint properly alleging the citizenship of the parties.

IT IS FURTHER ORDERED that if plaintiff does not timely and fully comply with this order, this matter will be dismissed for lack of subject matter jurisdiction.

IT IS FURTHER ORDERED that all other proceedings in this case are **STAYED** pending further order of this Court.

Dated this 5th day of May, 2021.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE